

United States District Court

WESTERN DISTRICT OF WASHINGTON

EDWARD ALLEN STEWARD,

v.

RONALD FRAKER,

JUDGMENT IN A CIVIL CASE

CASE NO. C10-5058 RBL

____ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

 X **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

THE COURT HAS ORDERED THAT

- (1) The Court adopts the Report and Recommendation that three grounds for relief are unexhausted and procedurally barred and the remaining ground for relief is without merit. Further, none of the unexhausted grounds for relief would warrant relief if they had been properly exhausted;
- (2) The petition for writ of habeas corpus is DENIED; and
- (3) The Court declines to issue a certificate of appealability because petitioner has failed to make a “substantial showing of the denial of a constitutional right,” 28 U.S.C. § 2253(c)(2).

August 3, 2010

Date

BRUCE RIFKIN

Clerk

s/ Mary Trent

Deputy Clerk